

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NIKCI BOYD ALLAN,

Plaintiff,

vs.

SIEGEL GROUP COMPANY,

Defendant.

Case No. 2:13-cv-00357-MMD-CWH

ORDER

This matter is before the Court on Plaintiff's Motion/Application for Leave to Proceed *in forma pauperis* (#1), filed on March 4, 2013. Plaintiff is proceeding in this action *pro se*.

Pursuant to 28 U.S.C. § 1915(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may only authorize the commencement of an action without prepayment of fees and costs or security therefor, by a person who submits an affidavit that includes a statement showing the person is unable to pay such costs. 28 U.S.C. § 1915(a)(1). This Court's Local Rules provide that "[a]ny person, who is unable to prepay the fee in a civil case, may apply to the Court for authority to proceed *in forma pauperis*. The application shall be made on the form provided by the Court and shall include a financial affidavit disclosing the applicant's income, assets, expenses and liabilities." LSR 1-1. The Court finds that Plaintiff's Application to Proceed *in Forma Pauperis* is incomplete because it does not state the amount of money received from Social Security Benefits or a description of expenses. As a result, the Court is unable to determine Plaintiff's income and expenses or find that Plaintiff is unable to pay the costs of commencing this action.

Having concluded that Plaintiff is not entitled at this time to proceed *in forma pauperis*, the Court need not screen the complaint under 28 U.S.C. § 1915(e)(2)(B), which requires the dismissal

1 of the case at any time if the Court determines that it is frivolous or malicious or fails to state a
2 claim upon which relief can be granted or seeks monetary relief against a defendant who is immune
3 from such relief.

4 Based on the foregoing and good cause appearing therefore,

5 **IT IS HEREBY ORDERED** that Plaintiff shall file a complete Application to Proceed *in*
6 *Forma Pauperis* with a detailed answer to questions three and six. In the alternative, Plaintiff may
7 make the necessary arrangements to pay the filing fee of three hundred fifty dollars (\$350),
8 accompanied by a copy of this Order. Plaintiff shall have **thirty (30) days** from the date on which
9 this Order is entered to comply. Failure to comply will result in a recommendation to the District
10 Judge for dismissal of this action.

11 DATED this 5th day of March, 2013.

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14 C.W. Hoffman, Jr.
15 United States Magistrate Judge
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